

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION)	
OF COMCAST CABLEVISION OF EASTERN)	
SHORE, LLC., FOR THE)	
COMMENCEMENT OF PROCEEDINGS PURSUANT)	
TO 47 U.S.C. § 546 REGARDING THE)	
RENEWAL OF THE CABLE TELEVISION)	PSC DOCKET NO. 17-0345
FRANCHISE TO SERVE CERTAIN)	
UNINCORPORATED AREAS OF SUSSEX)	
COUNTY, DELAWARE)	
(FILED MAY 8, 2017))	

ORDER NO. 9181

AND NOW, this 1st day of February, 2018, the Delaware Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, Comcast of Eastern Shore, Inc., ("Comcast Eastern Shore" or "cable operator") is the current holder of a fifteen year cable television franchise issued by the Commission in November, 2005 (the "Franchise") to provide cable television service in certain unincorporated areas of Sussex County (the "Franchise Territory").¹ The Franchise is set to expire on March 12, 2020, but includes a provision granting Comcast Eastern Shore an option to request renewal for an additional period not to exceed 15 years; and

WHEREAS, on May 8, 2017, Comcast Eastern Shore filed a letter with the Commission timely² invoking the formal, multi-step process for renewing the Franchise pursuant to Section 626 of the Cable Communications Policy Act of 1984 (47 U.S.C. § 546(a) - (d)) (the "Application"). The Application

¹ See PSC Order 6774 (November 22, 2005).

² 47 U.S.C. § 546(a) requires cable franchise renewal procedures be invoked "... during the 6-month period which begins with the 36th month before the franchise expiration . . .", or approximately three years prior to the Franchise expiration date.

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also states Comcast Eastern Shore's willingness to proceed with the Application on an informal basis pursuant to 47 U.S.C. § 546(h); and

WHEREAS, on July 25, 2017 in Order No. 9092, the Commission opened this docket and designated R. Campbell Hay as Hearing Examiner for this matter pursuant to 26 Del. C. § 502 to conduct two evening public comment sessions at appropriate locations within the Franchise Territory and with appropriate notice and the opportunity for public participation consistent with 47 U.S.C. § 546(a) for the purpose of (a) identifying the future cable-related community needs and interests; and (b) reviewing the performance of the cable operator under the Franchise during the current Franchise term; and

WHEREAS, Hearing Examiner Hay was also designated to prepare and file a report (i) detailing attendance at the public comment sessions and summarizing all oral and written comments timely received; and (ii) recommending either that the Commission grant or deny the Application pursuant to 47 U.S.C. § 546(h) and the reasons therefor, or in the alternative, the scheduling and completion of a full evidentiary hearing on the Application pursuant to 47 U.S.C. § 546(a)-(g); and

WHEREAS, Hearing Examiner Hay has recently resigned from his position with the Commission and will not be available to conclude the assignment designated in Order 9092.

NOW, THEREFORE, BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS, IT IS ORDERED THAT:

1. That Mark Lawrence is designated as Hearing Examiner for this matter pursuant to the terms of 26 Del. C. §502 to continue the assigned

responsibilities in this docket, as may be necessary to, (a) identify the future cable-related community needs and interests; (b) review the performance of the cable operator under the Franchise during the current Franchise term; and (c) prepare and file a report (i) detailing attendance at the public comment sessions and summarizing all oral and written comments timely received; and (ii) recommending either that the Commission grant or deny the Application pursuant to 47 U.S.C. § 546(h) and the reasons therefor, or in the alternative, the scheduling and completion of a full evidentiary hearing on the Application pursuant to 47 U.S.C. § 546(a)-(g).

2. The Commission Secretary shall promptly serve a copy of this Order on the Division of the Public Advocate.

3. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

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Commissioner

Commissioner

ATTEST:

Secretary